

FAQs

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Wayne County Drain
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County Drain Easements

What is a drain easement?

A drain easement is used for the construction, operation, maintenance, and improvement of an established county drain. It includes the actual drain itself and the immediately surrounding land. The width of the easement varies based on the drain.

How do I know if there is a drain easement on my property?

Prior to 1956, drain easements were recorded locally at the Drain Office. After 1956, drain easements are recorded at the Wayne County Register of Deeds. If you are unsure of the existence of a drain easement on your property, you may contact our office for more information.

How is a drain easement used?

The main purpose of the easement is to allow the water to flow through the drain unobstructed through the drain easement. It also allows the Drain Office to inspect drains and perform maintenance activities when necessary, including access for equipment.

Can I still use my property in the drain easement?

Yes. Land in the easement area can be used by the landowner. However, any use is subject to the terms of the drain easement and a landowner may not interfere with the operation of the drain.

Can I build a bridge or fence in the drain easement?

Generally, no. Bridges and fences interfere with the operation and maintenance of the drain. You can apply for a permit to build in the easement area, but permission is not guaranteed.

Who is responsible for maintenance of the drain and drain easement?

Generally, the Drain Commissioner has jurisdiction to perform maintenance on a county drain. The landowner is responsible for maintaining his or her property around the drain within the drain easement.

Will I be notified if the Drain Office will be entering my property within the drain easement?

If there will be any excavation or tree removal, you will be notified by mail at least 7 days in advance at your property address, unless it is an emergency. However, inspections of the drain may occur in the drain easement without prior notice.

Will the Drain Office cut the grass in the drain easement?

Generally, no. The landowner is responsible for landscaping of the easement area, including grass cutting, leaf raking, and brush/tree removal.

Will the Drain Office remove a tree in the drain easement?

Generally, no. The landowner is responsible for trees in the easement area. The Drain Office will typically only remove a tree if it is necessary for access to and/or maintenance of the drain.

Will the Drain Office remove litter in the drain easement?

Generally, no. The landowner is responsible for the general upkeep of the easement area. Although unsightly, the Drain Office will not remove simple litter, refuse, and minor debris. If the waste is obstructing the drain, please call the Drain Office immediately.

How can I help?

You can notify the Drain Office of any significant maintenance concerns. You can also maintain your property around the drain by keeping the area clean and free of overgrowth and other minor debris that could obstruct the flow of the drain.

How can I get more information?

Visit us at <http://www.waynecounty.com/doe> or call (313) 224-3620.